



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 66538
Anticipated Classification Of This Application:
Class _____ Subclass _____
Prior Application: _____
Examiner: M. Zanelli
Art Unit: 2304

JA
Def
8-21-95

Commissioner of Patents and Trademarks
Washington, D.C. 20231

FILING UNDER 37 CFR 1.60(b)

This is a request for filing a

- ☒ Continuation
☐ Divisional

application under 37 CFR 1.60, of pending prior application Serial No. 08/403,069, filed on March 13, 1995, of LeRoy G. Hagenbuch for APPARATUS AND METHOD RESPONSIVE TO THE ON-BOARD MEASURING OF HAULAGE PARAMETERS OF A VEHICLE.

Copy of Prior Application As Filed Which Is Attached

- ☒ I hereby verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior application, including the oath or declaration originally filed (37 CFR 1.60).

The copy of the papers of prior application as *filed* are attached as follows:

- ☒ 126 page(s) of specification
☒ 11 page(s) of claims
☒ 1 page(s) of abstract
☒ 34 sheet(s) of drawing(s)
☒ 2 pages of declaration and power of attorney

- ☒ In accordance with the indication required by 37 CFR 1.60(b), my records reflect that the original signed declaration showing applicant's signature was filed on May 12, 1989.

- ☐ The amendment referred to in the declaration filed to complete the prior application and I hereby state, in accordance with the requirements of 37 CFR 1.60(b), that this amendment did not introduce new matter therein.

Amendments

- ☒ Cancel in this application original claims 2-30 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that on this date, June 7, 1995, this Request under 37 CFR 1.60 and the documents referred to as attached therein are being deposited as "Express Mail Post Office To Addressee" service under 37 CFR 1.10 with the United States Postal Service in an envelope bearing Mailing Label Number TB119575027US addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Brian D. Sandstrom

Printed name of person
mailing application

Brian D. Sandstrom

Signature of person
mailing application

A

Petition For Suspension Of Prosecution For The Time Necessary To File An Amendment

☐ There is provided herewith a Petition To Suspend Prosecution For The Time Necessary To File An Amendment (New Application Filed Concurrently).

Fee Calculation (37 CFR 1.16)

CLAIMS AS FILED					
NUMBER FILED			NUMBER EXTRA	RATE	BASIC FEE \$730.00
Total Claims	1	-20 =	0.00	x \$ 22.00	0.00
Independent Claims	1	- 3 =	0.00	x \$ 76.00	0.00
Multiple Dependent Claim(s), if any				+ \$240.00	0.00

☐ Fee for extra claims is not being paid at this time (37 CFR 1.16(d)).

Filing Fee Calculation \$730.00

Small Entity Status

☒ A verified statement that this filing is by a small entity:
☐ is attached
☒ has been filed in the parent application and such status is still proper and desired (37 CFR 1.28(a)).

Filing Fee Calculation \$ 365.00
(50% of above)

Drawings

☐ Transfer the drawings from the prior application to this application and, subject to item 17 below, abandon said prior application as of the filing date accorded this application. A duplicate copy of this request is enclosed for filing in the prior application file.

☐ Transfer the following sheet(s) of drawing from the prior application to this application: _____.

☐ A copy of the amendment canceling the following sheets of drawings in the prior application is attached: _____.

☒ New drawings are enclosed: ☒ formal ☐ informal

Priority - 35 U.S.C. 119

☐ Priority of application Serial No. , filed on , in , is claimed under 35 U.S.C. 119.

☐ The certified copy has been filed in prior U.S. application Serial No. on _____.

☐ The certified copy will follow.

Relate Back - 35 U.S.C. 120

☒ Amend the specification by inserting before the first line the sentence:

"This is a

☒ continuation

☐ divisional

of copending application(s)

☒ Serial No. 08/403,069, filed on March 13, 1995, which, in turn, is a continuation of Serial No. 08/206,531, filed on March 4, 1994, now U.S. Patent No. 5,416,706, which, in turn, is a continuation of application Serial No. 08/102,531 filed on August 4, 1993, now U.S. Patent No. 5,327,347, which, in turn, is a continuation of application Serial No. 07/964,126 filed on October 20, 1992 and now abandoned, which, in turn, is a continuation of application Serial No. 07/351,179 filed on May 12, 1989 and now abandoned, which, in turn, is a continuation-in-part of application Serial No. 06/874,273 filed on June 13, 1986, now U.S. Patent No. 4,831,539, and a continuation-in-part of application Serial No. 06/717,042 filed on April 1, 1985, now U.S. Patent No. 4,839,835, both of which, in turn, are continuations-in-part of application Serial No. 06/604,739 filed on April 27, 1984, now U.S. Patent No. 4,630,227."

☐ ~~International Application~~, filed on , and which designated the U.S.

Inventorship Statement

(a) With respect to the prior copending U.S. application from which this application claims benefit under 35 U.S.C. 120 the inventor(s) in this application is (are):

☒ the same

☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:

(b) The inventorship for all the claims in this application are:

☒ the same

☐ not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

Assignment

☐ The prior application is assigned of record to .

☐ An assignment of the invention to is attached.

Fee Payment Being Made At This Time

☐ Not Enclosed

☐ No filing fee is submitted.

☒ Enclosed

☒ Basic Filing Fee

\$ 365.00

☐ Recording Assignment

\$

☐ Processing and Retention Fee

\$

3
129

Total Filing Fees Enclosed

\$ 365.00

Method Of Payment Of Fees

- ☒ Enclosed is a check in the amount of \$365.00.
- ☐ Charge Account No. 12-1216 in the amount of \$ _____. A duplicate of this request is attached.

Authorization To Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of the application to Account No. 12-1216.
- ☒ 37 CFR 1.16(a), (f), or (g) (filing fees)
- ☒ 37 CFR 1.16(b), (c), or (d) (presentation of extra claims)
- ☒ 37 CFR 1.17 (application processing fees)
- ☐ 37 CFR 1.18 (issue fee at or before mailing Notice of Allowance)

Power Of Attorney

- ☒ The power of attorney in the prior application is to John B. Conklin, Registration No. 30,369.
- ☒ The power appears in the original papers in the prior application.
- ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- ☐ A new power has been executed and is attached.
- ☒ Address all future communications to:

John B. Conklin
Leydig, Voit & Mayer, Ltd.
Two Prudential Plaza, Suite 4900
180 North Stetson
Chicago, Illinois 60601-6780
(312) 616-5600

Maintenance Of Copendency Of Prior Application

- ☐ A petition, fee and response has been filed to extend the term in the pending prior application until _____.
- ☐ A copy of the petition for extension of time in the prior application is attached.

Conditional Petition For Extension Of Time In Prior Application

- ☐ A conditional petition for extension of time is being filed in the pending patent application.
- ☐ A copy of the conditional petition for extension of time in the prior application is attached.

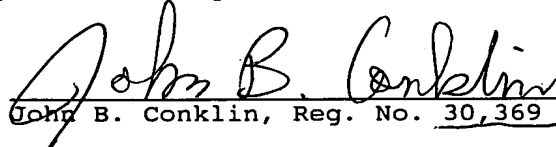
Abandonment Of Prior Application (if applicable)

- ☐ Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to

revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application. At the same time please add the words "now abandoned" to the amendment to the specification set forth in the section entitled "Relate Back - 35 U.S.C. 120" above.

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: June 7, 1995


John B. Conklin, Reg. No. 30,369 ①

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